

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 12, 2004

DIVISION TWO

B167419 People (Not for Publication)
v.
Faltisco

Case No.

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

B167341 People (Not for Publication)
v.
Cortes

The judgment is affirmed and the trial court is directed to correct the abstract of judgment to reflect a conviction in count 3 of leaving the scene of an accident that resulted in injury in violation of section 20001, subdivision (a).

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B152202 Vasquez
v.
Southern Pacific Transportation Co.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

August 12, 2004 (Continued)

DIVISION TWO (Continued)

B169433 Vanmaanen (Not for Publication)
v.
State of California DMV

The order is affirmed. The DMV shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
Doi Todd, J.

DIVISION THREE

B173923 Los Angeles County, D.C.S. (Not for Publication)
v.
Matthew A.

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
Aldrich, J.

B160274 Huffman, et al. (Certified for Publication)
v.
Interstate Brands Companies, et al.

For the reasons expressed herein, the judgment is reversed, and the case is remanded for a new trial. IBC is awarded its costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.
Aldrich, J.

August 12, 2004 (Continued)

DIVISION THREE (Continued)

B164111 Williams (Certified for Publication)

v.

The Housing Authority of the City of Los Angeles

The judgment is affirmed in part, and reversed in part. The matter is remanded for further proceedings consistent with the views expressed herein. Each party to bear their own costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.
Aldrich, J.

DIVISION FIVE

B169886 Judy Roberts (Not for Publication)

v.

Eberhard Roofing Inc.

The judgment of dismissal is reversed. The trial court is directed to vacate its order sustaining the demurrer as to all causes of action without leave to amend and enter a new and different order overruling the demurrer as to the declaratory relief cause of action for indemnity and sustaining the demurrer without leave to amend as to the causes of action for breach of implied warranty, breach of contract, specific performance, fraud, and negligent misrepresentation. The parties are to bear their own costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
Mosk, J.

August 12, 2004 (Continued)

DIVISION FIVE (Continued)

B169407 People (Not for Publication)
v.
Jamal A. Evans

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Mosk, J.

B166186 Adel Salawy et al (Certified for Publication)
v.
Ocean Towers Housing

The trial court's awards of attorney fees in both cases are reversed. We and the matter to the trial court to determine whether or not attorney fees should be award pursuant to the attorney fees provisions in appellants' leases and Civil Code section 1717. Appellants shall recover their costs on appeal.

Mosk, J.

I concur: Grignon, Acting P.J.
I dissent: Armstrong, J. (Opinion)

B165668 Avi Gil (Certified for Publication)
v.
Monte Mansano

The judgment award of attorney fees in the amount of \$50,000 to defendant is reversed. In all other respects, the judgment is affirmed. The parties are to bear their own costs on appeal.

Grignon, Acting P.J.

I concur: Mosk, J.
I dissent: Armstrong, J. (Opinion)

August 12, 2004 (Continued)

DIVISION SIX

Court convened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B166937 People v. Giles

Oral argument continued to September, 2004.

B172437 People v. Patrick

Oral argument continued to October, 2004.

Each of the following:

B165551 People v. O'Neal
B167916 People v. Reynozo
B168439 People V. Albertson
B168492 People v. Terry
B168820 People v. Napier
B168960 People v. Romero
B169086 People v. Reyes
B169476 People v. Vonner
B169501 People v. Hatcher
B171268 People v. Vera
B173222 People v. Valle

Argument waived, cause submitted.

B167868 People
 v.
 Spears

Merits:

Argued by Susan P. Stone for appellant and argument previously waived by respondent. Cause submitted.

DIVISION SIX (Continued)

B172474 People
 v.
 Alvarado

Merits:
Argued by Julia Swanson for appellant and argument previously waived by respondent. Cause submitted.

B170686 People
 v.
 Galloway

Merits:
Argued by Catherine A. Duffy-Gallaher for appellant and by Ryan M. Smith, Deputy Attorney General, for respondent via video conference. Cause submitted.

B169477 People
 v.
 Salas

Merits:
Argued by Robin L. Unander for appellant and by Tita Nguyen, Deputy Attorney General, for respondent via video conference. Cause submitted.

B166204 People
 v.
 Lee

Merits:
Argued by Susan P. Stone for appellant and by Laura J. Hartquist, Deputy Attorney General, for respondent via video conference. Cause submitted.

August 12, 2004 (Continued)

DIVISION SIX (Continued)

B170761 People
 v.
 Benavidez

Merits:
Argued by Wayne C. Tobin for appellant and by Steven D. Matthews,
Deputy Attorney General, for respondent via video conference. Cause
submitted.

Yegan, J. left the bench.

B169270 People
 v.
 Cairns

Merits:
Argued by Richard B. Lennon for appellant, by Susan E. Hier for appellant
via video conference and by Allison H. Chung, Deputy Attorney General,
for respondent via video conference. Cause submitted.

Court adjourned at 2:45 P.M.

B170982 People
 v.
 Williams

Filed order denying petition for rehearing.